

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SHAUNTEZ K. ROCKMORE,

Plaintiff,

vs.

VASQUEZ, et al.,

Defendants.

1:21-cv-01339-GSA-PC

**ORDER DENYING PLAINTIFF'S
REQUEST FOR ISSUANCE OF
SUMMONSES**

(ECF No. 10.)

I. BACKGROUND

Shauntez K. Rockmore ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma pauperis* with this civil rights action pursuant to 42 U.S.C. § 1983. On January 14, 2022, Plaintiff filed a request for issuance of summonses to initiate service of process upon the defendants. (ECF No. 10.)

II. SCREENING AND SERVICE OF PROCESS

The court is required by law to screen complaints brought by prisoners seeking relief against a governmental entity or officer or employee of a governmental entity, such as the instant action brought pursuant to 42 U.S.C. § 1983. 28 U.S.C. § 1915A(a). The court must dismiss a complaint or portion thereof if the prisoner has raised claims that are legally "frivolous or malicious," that fail to state a claim upon which relief may be granted, or that seek monetary relief from a defendant who is immune from such relief. 28 U.S.C. § 1915A(b)(1),(2).

1 With respect to service, the court will, *sua sponte*, initiate service of the Complaint only
2 after the court has screened the Complaint and determined that it contains cognizable claims for
3 relief against the named defendants.

4 Here, Plaintiff's Complaint awaits the court's screening and therefore it is not time for
5 service in this case. Therefore, Plaintiff's request shall be denied.

6 **III. CONCLUSION**

7 Based on the foregoing, **IT IS HEREBY ORDERED** that Plaintiff's request for the
8 issuance of summonses, filed on January 14, 2022, is **DENIED**.

9
10 IT IS SO ORDERED.

11 Dated: **August 24, 2022**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE